

# National Committee on Pay Equity

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## Summary of Recommendations to the Equal Employment Opportunity Commission (EEOC)

January 1984

(Adopted by the Members of the National Committee on Pay Equity)

**Title VII of the Civil Rights Act of 1964 prohibits "discrimination in compensation" on the basis of sex, race, color, national origin and religion.**

**In 1981, the Supreme Court affirmed in Gunther v. County of Washington that Title VII does indeed mean what it says, that wage discrimination based on sex is illegal even if the jobs being compared are not the same.**

**The National Committee on Pay Equity believes the EEOC, which is mandated by law to enforce Title VII's prohibition against wage discrimination, is not meeting its statutory obligation to enforce the law and has failed to provide the guidance and leadership which Title VII demands of it.**

**We therefore strongly urge the EEOC to undertake the following steps immediately to assure that wage discrimination investigations and litigation under Title VII move forward promptly, decisively and equitably.**

- 1. The Commission should vigorously enforce its own policy - known as the "90-day notice" - adopted on September 15, 1981 (after the Supreme Court decision in Gunther) to provide interim guidance to field officers on identifying and processing sex-based wage discrimination charges under Title VII and the Equal Pay Act. The policy should be reviewed and clarified periodically in order that wage discrimination charges be investigated fully.**
- 2. The Commission should give specialized review and processing to wage discrimination charges.**  
**This includes but is not limited to:**
  - a. Proper training of field personnel in regional EEOC offices in the identification of wage discrimination charges;**
  - b. Establishing tight time frames for review and processing of these charges; and**
  - c. Monitoring by the appropriate staff at EEOC headquarters in Washington, D.C. to ensure that time frames are being met.**
- 3. The Commission should establish a mechanism to ensure that wage discrimination charges received by field offices are referred to EEOC headquarters, as dictated by the notice, so that proper monitoring can take place. Field offices should be assessed on the basis of numbers of wage discrimination charges which are processed.**
- 4. The Commission should provide, on a quarterly basis, information to the National Committee on Pay Equity regarding wage discrimination charges and cases. This should include numbers of charges, field regions in which they are filed and names of cases that the EEOC has decided to**

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*pursue. In addition, the EEOC should provide the National Committee with information on Equal Pay Act charges and cases.*

- 5. The Commission should establish an EEOC Headquarters Task Force whose functions include:*
  - a) Targetting of wage discrimination cases as part of the early litigation program and as part of the systemic program so that all appropriate litigation avenues as pursued in a timely way;*
  - b) Coordination with the EEOC's National Litigation Plan so that wage discrimination will become a litigation priority for the Commission; and*
  - c) Designation of an individual or individuals in EEOC Headquarters who would be responsible for review of all wage discrimination cases.*

*We urge members and friends of the National Committee to encourage enforcement of the law by presenting these recommendations to their elected national officials and to EEOC officials in Washington, D.C. and regional areas.*

*This summary is abstracted from a longer document of the same title. It is available for \$1.00 from the National Committee on Pay Equity.*